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MONTANA CONSTITUTIONAL CONVENTION

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NATURAL RESOURCES AND AGRICULTURE COMMITTEE PROPOSAL

No. VI

Date Reported: February 18, 1972

Chairman

Vice Chairman

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Date: February 17, 1972

To: MONTANA CONSTITUTIONAL CONVENTION

From: Natural Resources and Agriculture Committee

Ladies and Gentlemen:

The Natural Resources and Agriculture Committee herewith submits a proposed new Article on "The Environment and Natural Resources" and a proposed new Article on Agriculture. The latter Article is intended to replace reference to Agriculture in Section 1, Article XVIII in the present Constitution, and the words relating to the special levy on livestock in Article XII, Section 9.

As a result of its deliberations, the Committee has drawn up a new proposed Article on environment and natural resources. The Article requires that: the state and each person maintain and enhance the environment; legislative responsibility; and a provision for protection.

Separate sections dealing with land reclamation, water and cultural resources are part of the new proposed Article.

The environmental and natural resources proposal is submitted as a majority report as is the new proposed Article on Agriculture.

The minority report, a proposed last section to the new Article on the environment and natural resources, would provide a Montana resident with a right to appropriate legal proceedings against a government agency charged by law with the implementation and enforcement of said provision.

The members of this Committee, by signing the majority report, do not necessarily sanction each and every statement contained in this report. The minority report is an expression of those members who feel that such expression, while differing from that of the majority, merits consideration by the Committee of the Whole.

The testimony of 95 witnesses in 165 appearances was utilized by the Committee. (See Appendix C)

The Committee wishes to thank its Research Analyst, Charles Sullivan; its Secretary, Elaine Rung; Student Intern, Mona Earley; and Dave and Lee Ann Jersey.

C. LOUISE CROSS, Chairman

E. S. "Erv" GYSLER, Vice Chairman

MAJORITY PROPOSAL

BE IT PROPOSED BY THE NATURAL RESOURCES AND AGRICULTURE COMMITTEE:

That there be a new Article on the Environment and Agriculture to read as follows:

ARTICLE ____

ENVIRONMENT AND NATURAL RESOURCES

Section 1. PROTECTION AND ENHANCEMENT. (1) The State of Montana and each person must maintain and enhance the environment of the state for present and future generations.

(2) The legislature must provide for the administration and enforcement of this duty.

(3) The legislature is directed to provide adequate remedies for the protection of the environmental life support system from degredation and to provide adequate remedies to prevent unreasonable depletion of natural resources.

Section 2. RECLAMATION. All lands disturbed by the taking of natural resources must be reclaimed to as good a condition or use as prior to the disturbance. The condition or use to which the land is to be reclaimed and the method of enforcement of the reclamation must be established by the legislature.

Section 3. WATER RIGHTS. (1) All existing rights to the use of any waters in this state for any useful or beneficial purpose are hereby recognized and confirmed.

(2) The use of all water now appropriated, or that may hereafter be appropriated for sale, rental, distribution, or other beneficial use, and the right of way over

the lands of others, for all ditches, drains, flumes, canals, and aqueducts, necessarily used in connection therewith, as well as the sites for reservoirs necessary for collecting and storing the same, shall be held to be a public use.

(3) All surface, underground, flood, and atmospheric waters within the boundaries of the state of Montana are declared to be the property of the state for the use of its people and subject to appropriation for beneficial uses as provided by law.

(4) Beneficial uses include, but are not limited to, domestic, municipal, agriculture, stockwatering, industry, recreation, scenic waterways, and habitat for wildlife, and all other uses presently recognized by law, together with future beneficial uses as determined by the legislature or courts of Montana. A diversion or development work is not required for future acquisition of a water right for the foregoing uses. The legislature shall determine the method of establishing those future water rights which do not require a diversion and may designate priorities for those future rights if necessary.

(5) Priority of appropriation for beneficial uses shall give the better right. No appropriation shall be denied except when such denial is demanded by the public interests.

(6) The legislature shall provide for the administration, control and regulation of water rights and shall establish a system of centralized records.

Section 4. CULTURAL RESOURCES. The legislature must provide for the identification, acquisition,

restoration, enhancement and preservation of scenic, historic, archeologic, scientific, cultural and recreational areas, sites and objects, and their use and enjoyment by the people.

Louise Cross, Chairman

E. S. "Erv" Gysler, Vice Chairman

Geoffrey L. Brazier Henry L. Syderius John H. Anderson, Jr.

A. W. Kamhoot Douglas Delaney Charles B. McNeil

Donald Rebal

COMMENTS ON MAJORITY PROPOSAL

ARTICLE ____

ENVIRONMENT AND NATURAL RESOURCES

Section 1. PROTECTION AND ENHANCEMENT. (1) The State of Montana and each person must maintain and enhance the environment of the state for present and future generations.

(2) The legislature must provide for the administration and enforcement of this duty.

(3) The legislature is directed to provide adequate remedies for the protection of the environmental life support system from degredation and to provide adequate remedies to prevent unreasonable depletion of natural resources.

COMMENTS

Your committee presents and recommends in its proposal the strongest constitutional environmental section of any existing state constitution.

Subsection (1) requires the state and each person, which of course includes corporations and all legal entities as well as individuals, to maintain and enhance the Montana environment for present and future generations. Your committee considered at length an exhaustive list of descriptive adjectives to precede the word environment such as "healthful", "pleasing," "quality," "high quality," "unsullied," and "unique" and finally concluded that no descriptive adjective was adequate or necessary. This was not a compromise but rather an acknowledgment of the present Montana environment.

Constitutional provisions of other states were studied but none were considered adequate as no other state has Montana's environment and therefore your committee felt that the best recommendation is to require that all must maintain and enhance the Montana Environment.

Subsection (2) mandates the legislature to administer and enforce the duty to maintain and enhance the Montar environment. Your committee was urged by many to detail the manner of accomplishing this duty but the temptation to legislate in the Constitution was resisted and confidence reposed in the legislature. To those who may lack such confidence in the elected representatives of the people the clear and concise duty to maintain and enhance the Montana environment cannot be contravened.

Your committee considered two Delegate Proposals which declared in substance that the State of Montana hold in Public Trust the environment, for the benefit of all the people of the state. The majority felt it unnecessary to have the state hold in trust all land, including of course privately owned real property, for the benefit of all the people of the state in order to accomplish the protection of our environment. In addition the majority felt it unwise to experiment by incorporating into the Constitution a "Public Trust" which was not clearly defined to the committee, which is not contained in the Constitution of any other state, and which exists in its infancy in only two states by legislation.

Subsection (3) mandates the legislature to provide adequate remedies to protect the environmental life support system from degradation. The Committee intentionally avoided definitions to preclude being restrictive and the term "environmental life support system" is all encompassing including, but not limited to air, water, and land and whatever interpretation is afforded this phase by the legislature and courts; there is no question that it can not be degraded.

Subsection (3) further mandates the legislature to provide

adequate remedies to prevent unreasonable depletion and degredation of natural resources. Although it is recognized that some non-renewable natural resources are to be consumed this provision permits the legislature to determine whether the resource is being unreasonably depleted and requires preventive remedies.

The committee considered proposals which would give individuals a right to sue without the necessity of showing some damage. The majority concluded that Montana's present law providing for class action under which litigation is presently pending involving multitudes of claimants against a single alleged polluter is adequate. However the majority feels that this is not a compromise because the majority proposal requires the legislature to provide whatever remedies are necessary to prevent degredation and unreasonable depletion.

The majority of the committee believes that this is the best Article for the protection of the Montana environment for its people.

Section 2. RECLAMATION. All lands disturbed by the taking of natural resources must be reclaimed to as good a condition or use as prior to the disturbance. The condition or use to which the land is to be reclaimed and the method of enforcement of the reclamation must be established by the legislature.

Your committee finds it necessary to direct the legislature to recognize the demands of this and future generations and that our natural resources must be used to be enjoyed, but only with judicious use and reclamation.

Because Montana has at least 500,000 acres of stripable coal land and untold acres of other natural resources, your

committee believes the responsibilities of protecting and restoring the surface conditions of those lands for unborn generations should not be left to men, but rather protected by fundamental law.

Section 3. WATER RIGHTS. (1) All existing rights to the use of any waters in this state for any useful or beneficial purpose are hereby recognized and confirmed.

(2) The use of all water now appropriated, or that may hereafter be appropriated for sale, rental, distribution, or other beneficial use, and the right of way over the lands of others, for all ditches, drains, flumes, canals, and aqueducts, necessarily used in connection therewith, as well as the sites for reservoirs necessary for collecting and storing the same, shall be held to be a public use.

(3) All surface, underground, flood, and atmospheric waters within the boundaries of the state of Montana are declared to be the property of the state for the use of its people and subject to appropriation for beneficial uses as provided by law.

(4) Beneficial uses include, but are not limited to, domestic, municipal, agriculture, stockwatering, industry, recreation, scenic waterways, and habitat for wildlife, and all other uses presently recognized by law, together with future beneficial uses as determined by the legislature or courts of Montana. A diversion or development work is not required for future acquisition of a water right for the foregoing uses. The legislature shall determine the method of establishing those future water rights which do not require a diversion and may designate priorities for those future rights if necessary.

(5) Priority of appropriation for beneficial uses shall give the better right. No appropriation shall be denied except when such denial is demanded by the public interests.

(6) The legislature shall provide for the administration, control and regulation of water rights and shall establish a system of centralized records.

COMMENTS

Your committee feels that water and water rights are of crucial importance to the past history and future development of the State of Montana. For this reason the committee feels justified in expanding the present constitutional section which relates solely to the use of water to include provisions for the protection of the waters of the state for use by its people.

Subsection (1) guarantees all existing rights to the use of water and includes all adjudicated rights and nonadjudicated rights including water rights for which notice of appropriations has been filed as well as rights by use for which no filing is of record.

Subsection (2) is a verbatim duplication of Article III, Section 15 of the present Constitution and has been retained in its entirety to preserve the substantial number of court decisions interpreting and incorporating the language of this Section.

Subsection (3) is a new provision to establish ownership of all waters in the state subject to use by the people. This does not in any way affect the past, present or future right to appropriate water for beneficial uses and is intended to recognize Montana Supreme Court decisions and guarantee the

state of Montana standing to claim all of its waters for use by the people of Montana in matters involving other states and the United States Government.

Subsection (4) is a new provision to permit recreation and stockwatering to acquire a water right without the necessity of a diversion. This applies only to future rights and, of course, only to waters for which there are no present water rights. This subsection further provides that future agricultural and industrial water development will not be foreclosed by recreation, as it is left up to the legislature to determine the method of establishing a future water right without a diversion and the legislature is further authorized to establish priorities of water uses for those waters where the legislature decrees priorities necessary.

Subsection (5) acknowledges a continuance of our present water law principle that the first appropriation in time is the better right and provides that no future appropriations shall be denied except in the public interest.

Subsection (6) mandates the legislature to administer, control and regulate water rights. This does not in any way change the present legislatively established system of local control of adjudicated waters by water commissioners appointed by the District Court having jurisdiction. A new requirement is added to establish a system of centralized records of all water rights in addition to the present statutory system of local filing of records. The centralized records are intended to provide a single location for water rights information and a complete record of all water rights.

Section 4. CULTURAL RESOURCES. The legislature must provide for the identification, acquisition, restoration,

enhancement and preservation of scenic, historic, archeologic, scientific, cultural and recreational areas, sites, and objects, and their use and enjoyment by the people.

COMMENTS

In response to widespread citizen and delegate interest in preserving our ghost towns, as well as our scenic, archeologic, scientific, cultural and recreational areas, sites and objects your committee proposes this self-explanatory section. The committee felt that such a section was appropriate in an article providing for protection of our total environment for this and future generations.

MAJORITY PROPOSAL

BE IT PROPOSED BY THE NATURAL RESOURCES AND AGRICULTURE COMMITTEE:

That there be a new Article on Agriculture to read as follows:

ARTICLE _____

AGRICULTURE

Section 1. DEPARTMENT OF AGRICULTURE. The legislative assembly must provide for a Department of Agriculture and enact laws and provide appropriations to protect, enhance and develop all agriculture of the state.

Section 2. RIGHT TO SPECIAL LEVIES. A special levy may be made on livestock and on agricultural commodities for the purpose of disease control and indemnification, predator control, livestock inspection and protection, agricultural commodity inspection and protection, livestock and agricultural commodity research and promotion.

Louise Cross, Chairman

E. S. "Erv" Gysler, Vice Chairman

Geoffrey L. Brazier Henry L. Siderius John H. Anderson, Jr.

A. W. Kamhoot Douglas Delaney Charles B. McNeil

Donald Rebal

COMMENTS ON MAJORITY PROPOSAL

Section 1. DEPARTMENT OF AGRICULTURE. The legislative assembly must provide for a department of Agriculture and enact laws and provide appropriations to protect, enhance and develop all agriculture of the State.

COMMENTS

Your committee believes that it is necessary to recognize the largest and most important industry in the state by retaining the constitutional provision for a Department of Agriculture and to require that the legislature provide appropriations and authorities to adequately protect, enhance and develop the agricultural industry of the state.

This new section is intended to remove any reference to agriculture from Article XVIII, Section 1 of our constitution and to be the first section of a new article on agriculture.

Section 2. RIGHT TO SPECIAL LEVIES. A special levy may be made on livestock and on agricultural commodities for the purpose of disease control and indemnification, predator control, livestock inspection and protection, agricultural commodity inspection and protection, livestock and agricultural commodity research and promotion.

COMMENTS

This section is a revision of Article XII, Section 9. Because of the excellent results of the livestock mill levy, your committee believes all of agriculture should benefit from this method of self-help taxation. However, your committee feels that setting the rate, as was previously done, is a legislative function to be exercised in response to industry needs.

MINORITY PROPOSAL

BE IT PROPOSED BY THE NATURAL RESOURCES AND AGRICULTURE COMMITTEE:

That the following subsection be added as subsection (4) to Section 1 of the Environment and Natural Resources Majority Proposal:

Section (4). Any Montana resident has the right to appropriate legal proceedings against any governmental agency charged by law with the implementation and enforcement of any provision of this Article.

C. LOUISE CROSS, Chairman

CHARLES B. MC NEIL

HENRY L. SIDERIUS

COMMENTS ON MINORITY PROPOSAL

Section (4). Any Montana resident has the right to appropriate legal proceedings against any governmental agency charged by law with the implementation and enforcement of any provision of this Article.

COMMENTS

The minority report, a proposed subsection to Section 1 of the new Article on the environment and natural resources, would provide a Montana resident with a right to appropriate legal proceedings against a government agency charged by law with the implementation and enforcement of said provision.

This is intended to grant an individual a constitutionally guaranteed direct legal remedy to compel the performance by state agencies of the duty to implement and enforce the provisions of the Environment Section.

APPENDIX A

CROSS REFERENCES

Proposed Sections of Environmental Article	Present Article & Section
1	None
2	None
3	III, 15, with revision
4	None
None	XIX, 3

Proposed Sections of Agriculture Article	Present Article & Section
1	XVIII, 1, with revision
2	XII, 9, with revision

APPENDIX B

PROPOSALS CONSIDERED BY COMMITTEE

The following delegate proposals were examined and considered by the Natural Resources and Agriculture Committee during its deliberations:

	Number of proposal	Chief Sponsor	Subject Matter	Disposition
1.	1	Berthelson	Establishing Public Policy on Environmental Quality	Rejected
2.	2	Berthelson	Providing for Water Rights	Adopted in part
3.	12	Cate	Protecting the Environment	Rejected
4.	20	McNeil	Providing a Public Policy of a Quality Environment	Adopted in part
5.	21	McNeil	Guaranteeing an Individual's Right to a Quality Environment	Adopted in part
6.	48	Etchart	Providing for Water Rights	Adopted in part
7.	83	Jacobsen	Providing for Acquisition of Historic Sites	Adopted in part
8.	93	Siderius	Providing for a Collective Bargaining	Referred to Bill of Rights Committee with Affirmative Recommendation

	Number of proposal	Chief Sponsor	Subject Matter	Disposition
9.	96	Erdmann	Irrigation and Water Rights	Adopted in part
10.	104	Kelleher	Reserving to the People of Montana All Subsurface Rights Except Under School & Indian Lands	Rejected
11.	114	Bugbee	Public Sightliness & Good Order	Rejected
12.	117	Bates	Providing for a Department of Agriculture	Adopted in part
13.	127	Davis	Providing for Water Rights	Adopted in part
14.	135	Davis	Providing for the Exchange of Public Lands	Referred to Education & Public Lands Committee
15.	162	Cross	Environment as Public Trust	Rejected

APPENDIX C

WITNESSES HEARD BY COMMITTEE

Name - Affiliation - Residence - Subject

1. Gary J. Wicks - Chairman, Department of Natural Resources - Helena - Duties and Problems of department.

2. James T. Harrison, Jr. - Counsel, Department of Natural Resources - Helena - Information about Department of Natural Resources.

3. Ronald J. Guse - Employee of Department of Natural Resources - Helena - Information about Department of Natural Resources.

4. Hans L. Bille - Employee of Department of Natural Resources - Helena - Information about Department of Natural Resources.

5. Mike Schwinden - Employee of Department of Natural Resources - Helena - Information about Department of Natural Resources.

6. James Posewitz - Director - Division for Environmental Protection, Department of Fish and Game - Helena - Duties and background of division.

7. Ted Schwinden - Commissioner of Public Lands - Helena - Duties of office.

8. Cato Butler - Public Information Officer, Department of Agriculture - Helena - Duties and problems of department of Agriculture.

9. Jack Rehberg - Montana Petroleum Producers - Billings - Pollution of underground waters.

10. John Goers - Geologist, Department of Public Lands - Helena - Mining and minerals laws.

11. P. R. McDonald - Anaconda Company - Butte - Environment.

12. Douglas Smith - Agriculture Coordinator - Helena - Agriculture.

13. Bill Cheney - Executive Officer, Department of Livestock - Helena - Livestock mill levy.

14. Ben Wake - Administrator, Division of Environmental Sciences, Department of Health & Environmental Sciences - Helena - Air.

15. John C. Spindler - Anaconda Company - Butte - Water.

16. Fred Johnston - Lawyer-rancher - Great Falls - Lessee of state lands.

17. Dolores Colberg - Superintendent of Public Instruction - Helena - Public lands.

18. Maurice Hickey - Director of Field Services, Montana Educational Association - Helena - Use of state lands for public schools.

19. Fletcher Newby - Executive Director, Environmental Quality Council - Helena - Environmental quality.

20. C. R. Anderson - Part-time professor at Western Montana College - Dillon - State lands.

21. Al Kington - Chief Forester, Division of Forestry - Fort Harrison - Operations of department.

22. John Rounds - Anaconda Wood Products Company - Bonner - Operations of plant.

23. Lester Tschannen - Evans Products Co. - Missoula - Forests and timber.

24. John Schultz - Tree Loggers, Inc. - Missoula - Forests and timber.

25. Chet Dreher - Representative of Congressman Shoup - Helena - Environment.

26. Paul Richards - Governor's Conference on Youth - Helena - Environment.

27. Irving Boettger - Engineer with private concern - East Helena - Environment.

28. Bill Cunningham - Professor, University of Montana Forestry School - Missoula - Public trust and environment.

29. William C. Hollenbaugh - Professor, University of Montana Forestry School - Missoula - Environment.

30. George Darrow - Representative, Yellowstone County, District 8 - Billings - Environment.

31. Robert E. LeProuse - Anaconda Company - Missoula - Environment.

32. Cecil Garland - Private business - Lincoln - Environment.

33. Darlene L. Grove - Housewife - Helena - Environment.

34. Mavis McKelvey - League of Women Voters - Missoula - Environment.

35. William D. Tomlinson - Montana Wildlife Federation - Missoula - Environment.

36. Dale Fredlund - Professor, Department of Anthropology, University of Montana - Missoula - Cultural resources.

37. Richard L. Hodder - Montana Agriculture Experiment Station - Bozeman - Reclamation.

38. Frank J. Laird, Jr. - Anaconda Company - Butte - Pollution.

39. Gene A. Tuma - Peabody Coal Company - Forsyth - Reclamation.

40. Leonard Campbell - Regional Counsel, Environmental Protection Agency - Denver, Colorado - Environment.

41. Irwin Dickstein - Environmental Protection Agency - Denver - Environment.

42. Robert DeSpain - Environmental Protection Agency - Denver - Environment.

43. Keith Schwab - Environmental Protection Agency - Denver - Environment.

44. Dave Wagoner - Environmental Protection Agency - Denver - Environment.

45. Patricia Antonick - Housewife - Helena - Environment.

46. Sam Gillully - Director, Montana Historical Society - Helena - Cultural resources.

47. Richard Reese - Chairman, Department of Political Science, Carroll College - Helena - Environment.

48. George Lackman - Commissioner of Agriculture - Helena - Department of Agriculture.

49. Larry Blazing - Forester - Missoula - Forests and timber.

50. Marvin McMichels - Montana Wood Products Association - Missoula - Forests and Timber.

51. Fred Wetzsteon - Farmer - Sula - Water rights.

52. Albert W. Stone - Professor, University of Montana - Missoula - Water use and rights.

53. Elmer Cox - President, Montana National Farmers Organization - Fort Benton - Water rights and use.

54. Charles Bowman - Head of Agricultural Experiment Station - Bozeman - Water.

55. James A. Stewart - Montana Quality Commodities, Inc. - Glasgow - Water.

56. Alex Mogan - Montana Quality Products, Inc. - Glasgow - Water.

57. Clyde Jarvis - President of Montana Farmers Union - Great Falls - Water.

58. Senator Gordon McGowan - Senator & rancher - Highwood - Water.

59. Senator McOmber - Rancher & Senator - Water.

60. Mons Teigen - Secretary, Montana Stockgrowers Association - Helena - Water.

61. David A. Smith - Secretary-Treasurer, Montana Wool Growers Association - Helena - Water.

62. Philip Donally - Montana Weed Control Association - Superior - Pesticides.

63. Jim Kallin - Montana Weed Control Association - Missoula - Pesticides.

64. Viggo Anderson - Grain Farmer - Great Falls - Agriculture.

65. Jim Stephens - Pres., Montana Grain Growers Assn. - Dutton - Agriculture.

66. Gretchen Billings - Helena - Executive Secretary, Montana Council of Cooperatives - Department of Agriculture.

67. Clifford Stoltz - Grain and livestock operator - Valier - Department of Agriculture.

68. George Skarda - Wheat farmer - Denton - Department of Agriculture.

69. Harvey Griffin - Rancher - Bozeman - Water.

70. John C. Paugh - Farmer - Bozeman - Water.

71. Oliver LeFevre - Rancher - Billings & Sheridan - Land.

72. John Ray - Teacher - Hamilton - Water rights.

73. Dr. Clancy Gordon - Professor, University of Montana - Missoula - Environment and pollution.

74. Bill Baird - Real estate - Billings - Land.

75. Gene Picotte - Attorney, representing Montana - Dakota Utilities - Helena - Delegate Proposal # 162.

76. Senator Lee Metcalf - Senator for Montana - Washington, D. C. - Delegate Proposal # 162.

77. Bill Leaphart - Senior at U of M Law School - Missoula Public Trust in Delegate Proposal # 162.

78. Patricia Dee Meier - GASP - Missoula - Delegate Proposal # 162.

79. Ray Gardner - Society of American Foresters - Kalispell - Delegate Proposal # 162.

80. Dr. James N. Brogger - Western Montana Fish and Game Association - Missoula - Delegate Proposal # 162.

81. Robert D. Watt - Montana Student President Association - Helena - Delegate Proposal # 162.

82. Doris Milner - Citizens of Ravalli County - Hamilton - Delegate Proposal # 162.

83. Mrs. Gene Allen - Rancher - Drummond - Public Trust (Delegate Proposal # 162).

84. Hubert G. White - Montana Water Development Association - Townsend - Water.

85. Ray Gulick - farmer - Joplin - Agriculture.

86. Terry Murphy - Representative and farmer - Cardwell - Agriculture.

87. Edward J. Melby - Farmer - Molt - Agriculture.

88. Gordon Matheson - Grain Farmer - Conrad - Agriculture.

89. Bob Ward - Farmer-rancher - Bozeman (Gallatin Valley) - Agriculture.

90. Ed Lenhardt - High Line Ditch Company - Billings - Water rights.

91. Bill Staley - Big Ditch Company - Billings - Water rights.

92. Hans Roffler - Society American Foresters - Missoula - Timber.

93. Tim Richmond - Anaconda Forest Products - Missoula - Timber.

94. Paul Kipp - Forester, Bureau of Indian Affairs - Billings - Timber.

95. Larry Magone - Plum Creek Lumber Company - Whitefish - Timber.

APPENDIX D

ROLL CALLS ON MAJORITY PROPOSAL

ROLL CALL VOTE --- ENVIRONMENT AND COMMITTEE . NATURAL RESOURCES

MEMBER Section	Date: No: 1	Date: No: 2	Date: No: 3	Date: No: 4	Date: No:	Date: No:	Date: No:	Date: No:
CROSS	N	Y	Y	Y				
GYSLER	Y	Y	Y	Y				
ANDERSON	Y	N	Y	Y				
BRAZIER	Y	Y	Y	N				
DELANEY	Y	N	Y	Y				
KAMHOOT	Y	Y	Y	Y				
McNEIL	Y	Y	Y	Y				
REBAL	Y	Y	Y	Y				
SIDERIUS	N	Y	Y	Y				
Total--------YEA	7	6	9	8				
NAY	2	3	0	1				
ABSENT	0	0	0	0				

APPENDIX D

ROLL CALLS ON MAJORITY PROPOSAL

ROLL CALL VOTE --- AGRICULTURE COMMITTEE

Member Section	Date: No: 1	Date: No: 2	Date: No:	Date: No:	Date: No:	Date: No:	Date: No:	Date: No:
Cross	Y	N						
Gysler	Y	Y						
Anderson	Y	Y						
Brazier	Y	N						
Delaney	Y	Y						
Kamhoot	Y	Y						
McNeil	Y	Y						
Rebal	Y	Y						
Siderius	Y	N						
Total--------YEA	9	6						
NAY	0	3						
ABSENT	0	0						

ROLL CALLS ON MINORITY PROPOSAL

MEMBER	PROPOSED SECTION 5 for Environment & Natural Resources Majority Proposal													TOTAL Y	TOTAL N	TOTAL A
CROSS, Chairman	Y															
GYSLER, Vice Chairman	N															
ANDERSON	N															
BRAZIER	N															
DELANEY	N															
KAMHOOT	N															
MC NEIL	Y															
REBAL	Y															
SIDERIUS	Y															
TOTAL Yea	4															
TOTAL Nay	5															
TOTAL Absent	0															